IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Writ Petition No. 162 of 2006 (S/B)

1. K.C. Uniyal S/o Late Sri R.C. Uniyal
   Presently posted as Officiating Assistant Regional
   Transport Officer (Enforcement) Pauri
   District Pauri Garhwal
2. Puran Chandra Joshi S/o Sri J.C. Joshi
   Presently Posted as Officiating Assistant Regional
   Transport Officer (Enforcement) Pithoragarh
   District Pithoragarh

... Petitioners

Vs.

1. State of Uttaranchal through
   Principal Secretary
   Transport Uttaranchal Shasan
   Dehradun.
2. Transport Commissioner
   Uttaranchal, Dehradun ... Respondents

Sri H.M. Raturi, learned counsel for the petitioners
Sri K.P. Upadhyay, learned Standing Counsel for the State

Hon'ble P.C. Verma, J.
Hon'ble B.C. Kandpal, J.

By means of this writ petition, the petitioners have prayed for a writ of mandamus commanding the respondents to consider the candidature of the petitioners for promotions to the post of Assistant Regional Transport Officer in the Transport Department of Uttaranchal.

2. The facts of the case are that the petitioners have been duly considered and have been given the charge for promotion for the post of Assistant Regional Transport Officer (ARTO) in the Transport Department of Uttaranchal but they have not bee given the regular promotion despite the vacancies being available in the promotion quota in the department which comes to be 15 in number.

3. We have heard Sri H.M. Raturi, learned counsel for the petitioners, Sri K.P. Upadhyay, learned counsel for the State.

4. Having regard to the facts and circumstances of the case, we direct the State Government to consider the petitioners for regular promotion according to the Rules within a period of one month from the date of production of certified copy of the order.

5. In view of the above, the writ petition is disposed of finally.

(B.C. Kandpal, J.) **(P.C. Verma, J.)**

23.05.2006
R. Dang